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10/583,678	06/19/2006	Renee Boerefijn	C7755(V)	4499

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EXAMINER

ASDJODI, MOHAMMAD REZA

ART UNIT	PAPER NUMBER
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1796

NOTIFICATION DATE	DELIVERY MODE
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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentgroupus@unilever.com

Office Action Summary	Application No. 10/583,678	Applicant(s) BOEREFIJN ET AL.	
	Examiner M. REZA ASDJODI	Art Unit 1796	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

Claims 1-3, and 5-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Velazquez et al. (US 6, 458,754 B1), in view of Weldes et al. (US 3,783,008), and Walley et al. (US 5,066,419), as evidenced by Bach et al. (US 2005/0085406 A1) and Southwest Research Institute 1999 report On Encapsulation.

Regarding claims 1-3, 5, 6, and 8, Velazquez et al. teach an enhanced perfume particles and detergent composition comprising: a granulate detergent particles with functional core of deterative agents; [8: 35-40, 9: 36-40], softener by the amount of 0.0-80%; [9: 50-59], and solid ingredients such as surfactants and builders; [9: 20-60], wherein the coated granule comprises 0.01-50% of encapsulated perfume (HIA); [9: 21-25], and composition could, also, comprise un-encapsulated perfume; [3: 5-12].

With respect to claim 1, Velazquez et al. do not, explicitly, teach the detergent granulate itself, also, being encapsulated. However, Weldes et al. teach a preparation process for coated detergent granule comprising cleaning material and perfumes; [abstract, 1: 29]. Weldes et al. and Velazquez et al. are analogous art because they are from the same field of endeavour, that of fabric treatment compositions. At the time of invention, it would have been obvious to a person of ordinary skill in the art to utilize the encapsulation (or coating) of granulated detergent composition of Weldes, by any desired thickness (as claimed), with the motivation of a material delivery with more stability and longer life time as evidenced by Weldes et al., and furthermore, by

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Southwest research report on coating of detergents with encapsulated benefit agents (i.e. perfume).

With respect to claim 1, Velazquez et al. do not teach, explicitly, a coated detergent wherein the coating layer includes encapsulated perfumes. However, Bach et al. teach a coated detergent wherein the coating layer comprises (additionally) an encapsulated perfume; [0114, 0154]. Bach et al. and Velazquez et al. are analogous art that of coated, or encapsulated, cleaning compositions. At the time of invention it would have been obvious to a person of ordinary skill in the art to also encapsulate the perfume material in the coating layer of detergent with the motivation of more controlled release of perfumes at the desired steps of washings, as evidenced by Bach et al.

With respect to claim 1, Velazquez et al. do not teach the coating material such as formaldehyde. However, Walley et al. teach a coated perfume particles coated by melamine-urea-formaldehyde; [4: 59-65]. Walley et al. and Velazquez et al. are analogous art because they are from the same field of endeavour, that of fabric treatment compositions. At the time of invention, it would have been obvious to a person of ordinary skill in the art to use perfume encapsulating material of Walley, melamine-urea-formaldehyde, for Velazquez et al.'s composition, with the motivation of timely release of perfumes during the washing cycles, as evidenced by Walley et al.

Regarding claim 7, Velazquez et al. do not teach linear alkyl benzene sulfonate. However, Walley et al. teach a granular laundry detergent comprising linear alkyl benzene sulfonate by the amount of 7.5%; [11: 42]. At the time of invention, it would have been obvious to a person of ordinary skill in the art to use alkyl sulfonate surfactant of Walley in Velazquez et al.'s composition, with the motivation of enhancing

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Its deterative properties, as evidenced by Walley et al.

Regarding claims 9-12, and 13-15, Velazquez et al. teach a process for making a granular detergent; [10: 1-40], providing softener; [9: 50-59], and solid ingredients such as surfactants and builders; [9: 20-60], wherein the composition comprises unencapsulated perfume; [3: 5-12], admixed with one or more solid ingredients; [9: 20-60], and coated granules are granular; [9: 55-62].

With respect to claim 9, Velazquez et al. do not specifically teach spraying detergent with slurry to form a coated granulate. However, Weldes et al. teach a preparation process for a coated detergent granule wherein the slurry is sprayed for coating detergent. Weldes et al. and Velazquez et al. are analogous art because they are from the same field of endeavour, that of fabric treatment compositions; [3: 54-60, 4: 43]. At the time of invention, it would have been obvious to a person of ordinary skill in the art to utilize Weldes's method for coating the granulate detergent with encapsulated perfume slurry with the motivation of simplicity and cost effectiveness. The application of encapsulated benefit agents as a coating in variety of products are further evidenced by Southwest research report on coating of detergents with encapsulated benefit agents (i.e. perfume).

With respect to claim 9, Velazquez et al. do not teach, explicitly, a coated detergent wherein the coating layer includes encapsulated perfumes. However, Bach et al. teach a coated detergent wherein the coating layer (additionally) comprises an encapsulated perfume; [0114, 0154]. Bach et al. and Valazquez et al. are analogous art that of coated, or encapsulated, cleaning compositions. At the time of invention it would have been obvious to a person of ordinary skill in the art to also encapsulate the

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perfume material in the coating layer of detergent with the motivation of more controlled release of perfumes at the desired steps of washings, as evidenced by Bach et al.

With respect to claim 9, Velazquez et al. do not teach the coating material such as formaldehyde. However, Walley et al. teach a coated perfume particles coated by melamine-urea-formaldehyde; [4: 59-65]. Walley et al. and Velazquez et al. are analogous art because they are from the same field of endeavour, that of fabric treatment compositions. At the time of invention, it would have been obvious to a person of ordinary skill in the art to use perfume encapsulating material of Walley, melamine-urea-formaldehyde, for Velazquez et al.'s composition, with the motivation of timely release of perfumes during the washing cycles, as evidenced by Walley et al.

With respect to claims 11 and 12, Velazquez et al. do not, specifically, teach viscosity modifier and presence of initial slurry in the process of preparation. However, Walley et al. teach a viscosity modifier such as carboxymethyl cellulose (also indicated in the specification of this application; 10: 52), and a process of preparing coated perfume particles for coating including slurry and spraying steps; [10: 5-65]. At the time of invention, it would have been obvious to a person of ordinary skill in the art to utilize Walley's viscosity modifier and method with the motivation of optimizing the preparation process of cleaning composition.

With respect to claim 12, Velazquez et al. teach a process for making a granular detergent using Shugi Granulator under trademark of "Lodige KM600 Mixer. This equipment is capable of operating in a low and medium shear mixing condition (as evidenced by US 5,736,502).

Response to Arguments

Applicant's arguments with respect to claims 1-3, and 5-15 have been considered but are moot in view of the new ground(s) of rejection.

A- In response to applicant's argument (on claim1) that: "Velazques uses spray drying to form a dry mixture of perfume particles": It is noted that the claimed coated composition regardless of means of obtaining it has the same properties. Velazques' teaching is close enough to render the claims obvious. However, in view of new amendments to the claims and in view of new ground of rejection the claims under arguments are rendered obvious, which renders the argument moot.

B- In response to applicant's argument that: "in applicant's invention there is an outer layer of encapsulated perfume particles": please see the action above as taught by Bach et al.

Claims 1 and 9 are amended. Claim 4 is cancelled.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. M. Reza Asdjodi whose telephone number is (571)270-3295. The examiner can normally be reached on Monday-Friday 8:00-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Milton Cano can be reached on 571-272-1398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Milton I. Cano/
Supervisory Patent Examiner, Art Unit 1796

/M. R. A./
Examiner, Art Unit 1796
06/08/10